

C-50
FEB 24 1981

David Ledbetter
Department of Justice
Room 1535
Washington, D.C. 20530

Dear Mr. Ledbetter:

Approval of Joint Memorandum

We have reviewed the draft joint memorandum proposed by Ira Nordlicht, Syntex' attorney, and find that it appropriately reflects the modifications agreed upon by the U.S. Environmental Protection Agency and Syntex during the January 30, 1981, conference.

We agree that the Denney Farm Site Plan of October 30, 1980, the memorandum containing modifications to the Denney Farm Site Plan, and the joint memorandum shall constitute the final plan for purposes of the Consent Decree.

If you have additional questions, please contact me at (816) 374-5493. The member of my staff who is most familiar with this subject, Ms. Judy Gibbs, (816) 374-2186, can also provide additional information.

Sincerely,

Kathleen Q. Camin, Ph.D.
Regional Administrator
Region VII

ENFC/LEGL/JAGibbs:ksh:2-19-81:Doc.1063

Magnafaxed Original w/Attachment of Joint Memorandum 2/24/81 at 9:30 - 10:30 a.m.
EMM-ENFC-LEGL.

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SUPERFUND RECORDS

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CONCURRENCES							
SYMBOL	LEGL	LEGL	LEGL	ENFC	SVAN	SVAN	ARHM
SJRNAME	9/1/80	5/1/81	Watt	8/9	WANNER	larger	RE
DATE	2/19/81	2/19/81	2/19/81	2/19/81	2/19/81	2/19/81	2/19/81

JOINT MEMORANDUM

In accordance with Part III.D.2. of the Consent Decree approved and entered effective September 12, 1980 by the United States District court for the Western District of Missouri, Southwestern Division in the matter of United States of America v. North Eastern Pharmaceutical & Chemical Co., Inc., et al. (the "Consent Decree" or "Decree"), this Joint Memorandum sets forth additional modifications to the Denney Farm Site Plan (the "Plan") and the Memorandum Containing Modifications to the Denney Farm Site Plan (the "Memorandum"), both submitted previously by Syntex Agribusiness, Inc. ("Syntex") to the Regional Administrator, Region VII, United States Environmental Protection Agency ("USEPA") pursuant to the Decree. The additional modifications of the Plan described below are the product of a conference between Syntex and representatives of the USEPA and the United States Department of Justice held at USEPA's Headquarters in Washington, D.C. on January 30, 1981 (the "Conference"):

Insert in Section III.B. the following new paragraph 1 and renumber accordingly:

- "1. Expert geologists and geotechnical engineers will be consulted for advice concerning the load-bearing

properties of the soil in those parts of the Work Area likely to be driven on by heavy vehicles, e.g. cement trucks."

Insert in paragraph III.J.2.b) after "situation." and prior to "Any" the following new third sentence:

"Whether additional monitoring wells are necessary will also be reviewed."

Insert in paragraph III.J.2.a) after "site." and prior to "(See" the following new sentence:

"The remaining structures, fence and surrounding area will be posted with warning signs as appropriate."

In Section VII, Appendix A add the following new last sentence:

"EPA will be responsible for coordinating with the local communities to develop such contingency plans as it believes are necessary. EPA will consult with Syntex and Syntex will cooperate with EPA in this effort."

In Section VI.D. add the following new paragraph 8:

"8. Blood samples will be taken from individuals who will work at the Denney Farm Site and the blood therefrom will be frozen and stored until said individual no longer is working at the Denney Farm Site or such later date as Syntex deems appropriate."

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By signing below Syntex and the United States (the "Parties") agree to the above stated additional modifications and agree that the Plan, as amended by the Memorandum and this Joint Memorandum, shall constitute the Final Plan for purposes of the Decree.

For Syntex Agribusiness, Inc.

Ira S. Nordlicht, Esq.
Holtzmann, Wise & Shepard

Date: _____

For the United States

David O. Ledletter
David O. Ledletter, Esq.
Department of Justice

Date: February 25, 1981

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